

Nohayia Javed, Esq. (*Pro Hac Vice*)
Dan Simmonds, Esq. (*Pro Hac Vice*)
Javed Law Firm, PLLC
3019 Spider Lily
San Antonio, TX 78258
Telephone No.: (832) 360-0476
attorney@javedlawfirm.com
dsimmonds@javedlawfirm.com
Attorneys for Plaintiff
Charm Hospitality LLC

Richard D. Williamson, Esq. (NV Bar No. 9932)
Briana N. Collings, Esq. (NV Bar No. 14694)
ROBERTSON, JOHNSON, MILLER & WILLIAMSON
50 West Liberty Street, Suite 600
Reno, Nevada 89501
Telephone No.: (775) 329-5600
rich@nvlawyers.com
Briana@nvlawyers.com
Local Counsel for Plaintiff
Charm Hospitality LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHARM HOSPITALITY LLC
D/B/A WINGATE BY WYNDHAM ELKO

Plaintiff,

vs.

GENERAL SECURITY INDEMNITY
COMPANY OF ARIZONA,

Defendants.

Case Number: 2:23-cv-00228-RFB-BNW

**STIPULATED MODIFIED DISCOVERY
PLAN AND
SCHEDULING ORDER
(THIRD MODIFICATION)**

Come now, Plaintiff, Charm Hospitality LLC d/b/a Wingate by Wyndham Elko ("Plaintiff"), by and through its counsel of record, Javed Law Firm PLLC and Robertson, Johnson, Miller & Williamson, and Defendant General Security Indemnity Company of Arizona, by and through its counsel of record, Walker Wilcox Matousek, LLP and Hutchison & Steffen, PLLC, and hereby submit the following proposed Modified Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 26(f) and LR 16-1.

Plaintiff, Defendant, and their respective counsel stipulate to extend the discovery deadlines in this matter as set forth herein. As required by LR 26-4, the parties provide the

1 following information which they assert demonstrates good cause for granting this Stipulated
 2 Modified Discovery Plan and Scheduling Order:

3 1. A need has arisen to extend the previously agreed-upon deadlines established in
 4 the Stipulated Discovery Plan and Scheduling Order (Second Modification). The parties have
 5 been working diligently in conducting discovery. To date, Plaintiff has produced 1,416 pages of
 6 documents while Defendant has produced 7,085 pages. Defendant has withheld certain
 7 documents based on privilege and is currently prepare a privilege log for Plaintiff's review. The
 8 parties cannot fully prepare their experts for disclosure until all written discovery issues are
 9 resolved.

10 2. In addition, the parties are working to resolve issues related to certain third-party
 11 document subpoenas that Plaintiff intends to issue.

12 3. The parties have fully discussed witnesses that will need to be deposed in this
 13 case and both parties can represent to the Court that the list is substantial and will require much
 14 time and travel in order to get this accomplished.

15 4. The parties have agreed that, based upon the outstanding written discovery issues
 16 still present, an extension to the expert discovery deadline, and all other discovery deadlines
 17 based thereupon, is necessary and agreeable. Among these deadlines are: the Discovery Cut-Off
 18 Date, Expert Witness Disclosures, Dispositive Motions, and Pre-Trial Disclosures.¹

19 Based on the foregoing, the parties stipulate as follows:

20 1. Discovery Cut-Off Date. The parties request a one hundred four (104) day
 21 continuance of the discovery cut-off date from the current cut-off date of April 19, 2024. The
 22 new discovery cut-off date would therefore be August 1, 2024.

23 3. Expert Witness Disclosures. The parties request a eighty (80) day continuance of
 24 the deadline for disclosures of any expert witnesses currently set for February 19, 2024. The

25
 26 ¹ On October 20, 2023, Plaintiff filed its Motion for Leave to Amend the Complaint. (Dkt. 23.) On November 2,
 27 2023, General Security filed a response arguing against amendment, but in the alternative requesting the Court
 28 extend all current deadlines by 90 days. (Dkt. 24.) General Security's agreement to a 60-day extension of all current
 deadlines as set forth in this joint stipulation is made without prejudice to its arguments and its request for
 alternative relief in its response to Plaintiff's Motion for Leave to Amend the Complaint.

new deadline for disclosures of any expert witnesses would therefore be May 9, 2024. The disclosures of any rebuttal experts shall remain due fifty-one (51) days after the initial disclosures of experts: June 29, 2024.

4. Dispositive Motions. The parties request a sixty-two (62) day continuance of the deadline for Dispositive Motions which is currently set for May 20, 2024. The new deadline for such motions would therefore be July 20, 2024.

5. Pretrial Order. The parties request a sixty-two (62) day continuance to file the Joint Pretrial Order which is currently due on June 18, 2024. The new deadline to file the Joint Pretrial Order would therefore be August 18, 2024.

6. Other Provisions. All other provisions of the Stipulated Discovery Plan and Scheduling Order not in conflict herewith, shall remain in full force and effect.

DATED this 31st day of January, 2024.

JAVED LAW FIRM, PLLC

By: /s/ Nohayia Javed

Nohayia Javed

Dan D. Simmonds

3019 Spider Lily

San Antonio, TX 78258

WALKER WILCOX MATOUSEK LLP

One North Franklin, Suite 3200

Chicago, Illinois 60606

By: /s/ Kassandra Altantulkhuur

David Walker, Esq.

Kassandra Altantulkhuur, Esq.

Counsel for Defendant

and

ROBERTSON, JOHNSON, MILLER & WILLIAMSON

50 West Liberty Street, Suite 600

Reno, Nevada 89501

By: /s/ Briana N. Collings

Richard D. Williamson, Esq.

Briana N. Collings, Esq.

Local Counsel for Plaintiff

HUTCHISON & STEFFEN, PLLC

Peccole Professional Park

10080 West Alta Drive, Suite 200

Las Vegas, Nevada 89145

IT IS SO ORDERED

By: /s/ Todd Moody

Todd L. Moody, Esq.

Local Counsel for Defendant

DATED: 3:59 pm, February 01, 2024

BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE